

103^D CONGRESS
1ST SESSION

H. R. 2615

To limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 1993

Mr. THOMAS of Wyoming (for himself, Mrs. VUCANOVICH, Mr. HEFLEY, Mr. POMBO, Mr. CRANE, Mr. DOOLITTLE, Mr. HANSEN, Mr. SMITH of Oregon, Mr. DELAY, Mr. STUMP, Mr. HAYES, Mr. HERGER, Mr. SKEEN, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Net Loss of Private
5 Lands Act”.

1 **SEC. 2. LIMITATION ON ACQUISITION OF LAND.**

2 (a) IN GENERAL.—Notwithstanding any other provi-
3 sion of law, the United States may acquire an interest in
4 100 or more acres of land within a State described in sub-
5 section (c) only if, before any such acquisition, the United
6 States disposes of the surface estate to land in that State
7 in accordance with subsection (b).

8 (b) DISPOSITION OF SURFACE ESTATE.—The dis-
9 position of the surface estate in land by the United States
10 qualifies for the purposes of this section if—

11 (1) the value of the surface estate of the land
12 disposed of by the United States is approximately
13 equal to the value of the interest in land subject to
14 this section that is to be acquired by the United
15 States, as determined by the Secretary of the De-
16 partment concerned; and

17 (2) the Secretary of the Department concerned
18 certifies that the United States has disposed of land
19 for the purpose of this section.

20 (c) AFFECTED STATES.—A State is described in this
21 section if—

22 (1) it is one of the States of the United States;
23 and

24 (2) 25 percent or more of the land within that
25 State is owned by the United States.

1 (d) ACQUISITION.—For the purpose of this section,
2 the term “acquire” includes acquisition by donation, pur-
3 chase with donated or appropriated funds, exchange, de-
4 vise, and condemnation.

5 (e) APPLICABILITY.—This section does not apply
6 to—

7 (1) any land held in trust for the benefit of an
8 Indian tribe or individual or held by an Indian tribe
9 or individual subject to a restriction by the United
10 States against alienation;

11 (2) real property acquired pursuant to a fore-
12 closure under title 18, United States Code;

13 (3) real property acquired by any department,
14 agency, or independent establishment in its capacity
15 as a receiver, conservator, or liquidating agent which
16 is held by that department, agency, or independent
17 establishment in its capacity as a receiver, conservator,
18 or liquidating agent pending disposal;

19 (4) real property which is subject to seizure,
20 levy, or lien under the Internal Revenue Code of
21 1986; and

22 (5) real property that is securing a debt owed
23 to the United States.

24 The head of any department, agency, or instrumentality
25 of the United States may also waive the requirements of

1 this section with respect to the acquisition of land by that
2 department, agency, or instrumentality during any period
3 in which there is in effect a declaration of war or a na-
4 tional emergency declared by the President.

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